

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

|                    |   |                            |
|--------------------|---|----------------------------|
| LARRY GENE HEGGEM, | ) | CASE NO. C08-0070-MJP-MAT  |
|                    | ) |                            |
| Plaintiff,         | ) |                            |
|                    | ) |                            |
| v.                 | ) | ORDER DENYING PLAINTIFF'S  |
|                    | ) | MOTION TO FILE AMENDED     |
| JAMES CONGDON,     | ) | COMPLAINT AND PLAINTIFF'S  |
|                    | ) | MOTION FOR RECONSIDERATION |
| Defendant.         | ) |                            |
| _____              | ) |                            |

This matter comes before the Court on plaintiff's motion to file an amended complaint and on plaintiff's motion for reconsideration of this Court's order denying his motion for appointment of counsel. The Court, having reviewed plaintiff's motions, and the balance of the record, does hereby find and ORDER as follows:

(1) Plaintiff's motion to file an amended complaint (Dkt. No. 11) is DENIED. Plaintiff indicates in the instant motion that he wants to add a new defendant to this action and to provide additional factual support for his claims. Plaintiff has attached to his motion an amended statement of claim. However, plaintiff has not submitted a proposed amended complaint. A motion to amend must be accompanied by a proposed amended complaint before it will be considered by the

ORDER DENYING PLAINTIFF'S MOTION TO FILE  
AMENDED COMPLAINT AND PLAINTIFF'S MOTION FOR  
RECONSIDERATION  
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01 Court.

02 If plaintiff wishes to pursue amendment of his complaint, he may file a new motion to  
03 amend and submit in conjunction with that motion a proposed amended complaint which clearly  
04 identifies each of the intended defendants, the federal constitutional right(s) allegedly violated by  
05 the conduct of each defendant, and the facts which he believes support each alleged constitutional  
06 violation.

07 (2) Plaintiff's motion for reconsideration (Dkt. No. 12) is DENIED. Plaintiff, by way  
08 of the instant motion, seeks reconsideration of this Court's March 11, 2008, Order denying his  
09 motion for appointment of counsel. Motions for reconsideration are disfavored and will be  
10 granted only in limited circumstances. The Court will ordinarily deny motions for reconsideration  
11 "in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal  
12 authority which could not have been brought to its attention earlier with reasonable diligence."  
13 Local Rule CR 7(h)(1). Plaintiff has offered nothing by way of evidence or argument to persuade  
14 this Court that its prior ruling was erroneous.

15 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
16 defendant, and to the Hon. Marsha J. Pechman.

17 DATED this 17th day of April, 2008.

18 

19 Mary Alice Theiler  
20 United States Magistrate Judge  
21  
22